

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	
LITIGATION)	MDL No. 1456
)	
)	Civil Action No. 01-12257-PBS
THIS DOCUMENT RELATES TO:)	
ALL CLASS ACTIONS)	Judge Patti B. Saris
)	
)	
)	

**SCHERING-PLOUGH CORPORATION'S AND WARRICK PHARMACEUTICALS
CORPORATION'S MOTION FOR LEAVE TO FILE UNDER SEAL**

Defendants Schering-Plough Corporation (“Schering”) and Warrick Pharmaceuticals Corporation (“Warrick”), by their attorneys, hereby move this Court for leave to file the following documents under seal:

- Declaration of Eric P. Christofferson Transmitting Documents Relied upon in Schering’s and Warrick’s Motion for Summary Judgment; and
- Declaration of Sumanth Addanki, Ph.D.

Pursuant to the Protective Order entered by this Court on December 13, 2002 (the “Protective Order”) both the parties in the above captioned case and non-party witnesses have designated many documents and other information produced in this litigation as either “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” The submissions described above incorporate documents containing information that has been designated “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” Specifically, they include references to contractual terms and pricing data that defendants and non-party witnesses deem highly proprietary in nature. Pursuant

to paragraph 15 of the Protective Order, any document or pleading containing quotes from or otherwise referencing such information shall be filed under seal.

A redacted version of the Declaration of Eric P. Christofferson Transmitting Documents Relied upon in Schering's and Warrick's Motion for Summary Judgment will be filed publicly.

WHEREFORE, Schering and Warrick respectfully request that the motion for leave to file the aforementioned submissions under seal be GRANTED.

Schering-Plough Corporation and
Warrick Pharmaceuticals Corporation
By their attorneys,

/s/ Eric P. Christofferson

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Dated: March 15, 2006

CERTIFICATE OF COMPLIANCE WITH LR. 7.1

I hereby certify that counsel for Schering and Warrick attempted to confer with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues set forth herein. As of filing, Counsel for the Plaintiffs has not responded to the email message, sent by counsel for Schering and Warrick, and has not indicated whether or not Plaintiffs assent to this motion.

/s/ Eric P. Christofferson
Eric P. Christofferson

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2006, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Eric P. Christofferson
Eric P. Christofferson